



P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Niels Gebauer )  
Serial No. 09/189,615 )

Filing Date: 11/09/98 )

Examiner G. Robinson  
Group Art Unit 2177

Docket No. 33012/246/101

For: METHOD AND APPARATUS FOR )  
PROVIDING AN AVAIL- )  
ABILITY MESSAGE TO RE- )  
MOTE USER TERMINAL )  
(Amended) )DECLARATION UNDER  
37 C.F.R. 1.132Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

RECEIVED

APR 11 2002

Technology Center 2000

<p><u>CERTIFICATE UNDER 37 C.F.R. 1.8</u> I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on this <u>4</u> day of <u>April</u>, 2002.</p> <p>By <u>Melissa A. Abelgaard</u> Melissa A. Abelgaard</p>	
--	--

DECLARATION

The undersigned declares as follows:

1. My name is Barbara N. Christensen;
2. My home address is 6520 White Oak Rd.  
Lino Lakes, MN 55038;
3. I am employed by Unisys Corporation, assignee of the subject invention, as Senior Software Engineer;
4. I have worked professionally with the Unisys Corporation family of products called MAPPER since 1978;

5. I am very familiar with "Classic MAPPER", a commercial product of Unisys Corporation, and its associated documentation including the "Classic MAPPER User's Guide" cited by the Examiner as prior art with regard to the subject U.S. Patent Application;
6. I have read the pertinent portions of the final official action of the Examiner with regard to the subject U.S. Patent Application mailed December 4, 2001 to include Section 6 at pages 2-4;
7. In particular I have read the Examiner's statement at the last full sentence on the bottom of page 3 which reads, "Classic MAPPER User's Guide teaches transfer of messages that let the user know the status of the system [see page 19-3 and 19-4]";
8. This preceding statement is factually incorrect;
9. Pages 19-3 and 19-4 describe the manner in which Classic MAPPER applications can transfer data to one another and have nothing to do with notification concerning the status of the system;
10. In fact, it is contemplated that such applications which transfer information to each other using the cited facility, are generally "batch processing" MAPPER runs which do not have any real time "user" associated therewith;
11. Because these MAPPER runs are generally processed in the batch mode having no direct contact with real time, the status of the system at any point in time is irrelevant;
12. A batch processed program awaits execution within a queue without regard to whether the wait at any given moment is a result of system unavailability or simply lack of run time priority;
13. As stated in the last sentence of page 19-4, execution of the batch processed run is simply reinitiated upon return to availability of the system without notification to the application, because such notification would be irrelevant;

14. This batch processing environment is readily distinguishable from the system of the claimed invention wherein a human user makes a service request of the system and anticipates a response in real time;
15. It is highly desirable to notify a human user expecting a real time response whenever that response will not be forthcoming because of system unavailability, to enable that human user to cease waiting and resubmit the service request at a subsequent time after the system becomes available;
16. Further declarant sayeth not.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon, I further declare that I understand the content of this declaration.

Date

4/3/2002

Barbara N. Christensen

